



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431

Sent Via Fax and Overnight Mail

67102
AUG 21 1995

Michelle Mosco-Lascuola
Maryland Department of the Environment
2500 Broening Highway
Baltimore, MD

Re: Bush Valley Landfill
Record of Decision

Dear Michelle:

On July 13, 1995 the U.S. Environmental Protection Agency ("EPA") provided the Maryland Department of the Environment ("MDE") with a copy of the draft Record of Decision ("ROD") for the Bush Valley Landfill Superfund Site ("Site") for State review and comment. In your letter dated August 7, 1995, MDE provided comments to EPA on this draft ROD. In subsequent conversations you and I discussed your comments. I am confident that EPA and MDE are in agreement regarding the selected remedy at this Site and EPA appreciates the State's input throughout the remedy selection process.

In addition, EPA is in receipt of the August 18, 1995 letter from Richard W. Collins, Director, Waste Management Administration, regarding MDE's support of the selected remedy. Considering the fact that there has been revisions made to the original document reviewed by MDE, I have enclosed a copy of the revised draft/final ROD in order to give MDE an opportunity to review the document in its current form prior to signature by EPA.

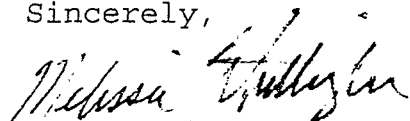
With respect to ARARs, EPA has carefully reviewed all of the laws and regulations cited by MDE both in its letter of May 8, 1995 and its letter of August 7, 1995. As we discussed, some of the ARARs do not appear to be specifically applicable or relevant and appropriate to the remedial actions evaluated in the Bush Valley Landfill ROD. Additionally, some of the requirements are procedural rather than substantive and, therefore, cannot be ARARs. EPA has tried, in good faith, to include in the ROD all State laws and regulations that are ARARs for this Site. Please review Table 28 and the Selected Remedy Selection to see the results of EPA's detailed analysis.

In accordance with the NCP, MDE formally has 5 to 10 days to review and comment on this draft ROD. As you know, EPA is hoping to issue this ROD as early as Friday August 25, 1995. MDE has already reviewed a previous draft and it would be appreciated if you could respond as soon as possible.

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Should you have any questions or comments regarding any of the above or enclosed information, please contact me at (215) 597-1286 or Marcia Preston at (215) 597-4963.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melissa Whittington".

Melissa Whittington, RPM
VA/WV Remedial Section

cc: P. Ludzia
M. Preston

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